

Amendment No. 1 to HB1084

Haynes
Signature of Sponsor

AMEND Senate Bill No. 1195*

House Bill No. 1084

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 57, Chapter 2 is amended by adding the following language as a new section:

(a) An intoxicating liquor may not be advertised, described, labeled, named, sold or referred to for marketing or sales purposes as "Tennessee Whiskey", "Tennessee Whisky", "Tennessee Sour Mash Whiskey" or "Tennessee Sour Mash Whisky" unless the intoxicating liquor is:

- (1) Manufactured in Tennessee;
- (2) Made of a grain mixture that is at least fifty-one percent (51%) corn;
- (3) Distilled to no more than 160 proof or eighty percent (80%) alcohol by volume;
- (4) Aged in new, charred oak barrels in Tennessee;
- (5) Filtered through maple charcoal prior to aging;
- (6) Placed in the barrel at no more than 125 proof or sixty-two and one-half percent (62.5 %) alcohol by volume; and
- (7) Bottled at not less than 80 proof or forty percent (40%) alcohol by volume.

(b) Any manufacturer who violates this section shall be subject to suspension or revocation of its license for a period of not less than one (1) year.

(c) Subdivision (a)(5) shall not apply to intoxicating liquor manufactured at a distillery located in a county that authorized the manufacturing process by referendum

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after January 1, 1979, and prior to January 1, 1980; provided, any such distillery was first licensed by the alcoholic beverage commission after January 1, 2000, and before January 1, 2001.

(d)

(1) Any Tennessee corporation, limited liability company or proprietorship that holds a federal distiller basic permit pursuant to 27 U.S.C. § 204 and had a licensed manufacturing operation in this state as of January 1, 2013, may label, market and sell any product owned or contracted to purchase by such permit holder on or after the effective date of this act for a period of thirty-six (36) months; provided, however, any product manufactured at such distillery after the effective date of this act shall meet all the requirements of subsection (a) to be advertised, described, labeled, named, sold or referred to for marketing or sales purposes as "Tennessee Whiskey", "Tennessee Whisky", "Tennessee Sour Mash Whiskey", or "Tennessee Sour Mash Whisky".

(2) This subsection (d) shall apply to any product that is referred to as "Tennessee Whiskey", "Tennessee Whisky", "Tennessee Sour Mash Whiskey", or "Tennessee Sour Mash Whisky" under 27 CFR Part 5 on the effective date of this act.

SECTION 2. Tennessee Code Annotated, Section 57-2-104, is amended by striking the comma after the language "only within the county authorizing the operation," and adding the language "or in a county adjacent to the county authorizing the manufacturing operation,".

SECTION 3. This act shall take effect July 1, 2013, the public welfare requiring it.